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Patent

Attorney's Docket No. 017753-154

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Thérèse de BIZEMONT *et al.*) Group Art Unit: 1635 /
Application No.: 09/836,439) Examiner: Richard A. Schnizer
Filed: April 17, 2001) Confirmation No.: 5851
For: GENE THERAPY WITH CHIMERIC)
OLIGONUCLEOTIDES DELIVERED)
BY A METHOD COMPRISING A STEP)
OF IONTOPHRESIS)

SECOND INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants
hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted after a first Office Action on the merits but prior to the
closing of prosecution, therefore under 37 C.F.R. § 1.97(c) the fee set forth in 37 C.F.R.
§ 1.17(p) is enclosed.

A fee in the amount of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is enclosed.

To assist the Examiner, the document are listed on the attached form PTO-1449. It is
respectfully requested that an Examiner-initialed copy of this form be returned to the undersigned.

10/31/2003 KBETEMA1 00000002 09836439

01 FC:1806

180.00 0P

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 30, 2003

By: Deborah H. Yellin
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**INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

No additional fee for submission of an IDS is required.

The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.

A statement under 37 C.F.R. § 1.97(e) is also enclosed.

A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.

Charge \$_____ to Deposit Account No. 02-4800 for the fee due.

A check in the amount of \$ 180.00 is enclosed for the fee due.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 30, 2003

By: Deborah H. Yellin
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Substitute for forms 1449A/PTO & 1449B/PTO

ATTORNEY'S DKT NO.
017753-154APPLICATION NO.
09/836,439SECOND INFORMATION DISCLOSURE
STATEMENT BY APPLICANTAPPLICANT
Thérèse de BIZEMONT et al.FILING DATE
April 17, 2001GROUP
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OCT 3 0 2003

PATENT & TRADE
MARK OFFICE
O P E S C I T

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	5,760,012		Eric B. KMIEC et al.	06-02-1998
	6,154,671		Jean-Marie PAREL et al.	11-28-2000

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes No

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	(Abstract only) STODULKOVA et al., "Initial Test of Chimeroplasty in Correcting a Mouse Retinal Degeneration" IOVS, 2001, pg. S346, Vol. 42, No. 4, Annual Meeting of the Association for Research in Vision and Ophthalmology, Fort Lauderdale, Florida, USA, April 29 - May 4, 2001
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	ASAHARA et al., "Induction of Gene into the Rabbit Eye by Iontophoresis: Preliminary Report", Japanese Journal of Ophthalmology, 2001, pgs. 31-39, Vol. 45, Japanese Ophthalmological Society, Elsevier Science, Inc., Oxford, ENGLAND
	SOHOCKI et al., "Prevalence of Mutations Causing Retinitis Pigmentosa And Other Inherited Retinopathies", Human Mutation, 2001, pgs. 42-51, Vol. 17, No. 1, Wiley-Liss, Inc., New York, New York, USA
	OZAKI et al., "Hypoxia Inducible Factor-1alpha Is Increased in Ischemic Retina: Temporal and Spatial Correlation with VEGF Expression", Investigative Ophthalmology and Visual Science, 1999, pgs. 182-189, Vol. 40, No. 1, Association for Research in Vision and Ophthalmology, Fort Lauderdale, Florida, USA
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	KMIEC et al., "Targeted Gene Repair in Mammalian Cells Using Chimeric Oligonucleotides", Genetic Engineering, 2000, pgs. 23-31, Vol. 22, Plenum Press, New York, New York, USA
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	(Abstract only) BERDUGO et al., "Delivery of Antisense Oligonucleotide to the Cornea by Iontophoresis", Antisense Nucleic Acid Drug Dev., 2003, pgs 107-114, Vol. 13, No. 2, Ipswich, Massachusetts, USA
	(Abstract only) KURZ et al., "Novel Approaches for Retinal Drug Delivery", Ophthalmol Clin North Am., 2002, pgs. 405-10, Vol. 15, No. 3, W.B. Saunders Co., Philadelphia, Pennsylvania, USA
	VOIGHT et al., "Down-regulation of NOSII Gene Expression by Iontophoresis of Anti-sense Oligonucleotide in Endotoxin-induces Uveitis", Biochemical and Biophysical Research Communications, 2002, pgs. 336-341, Academic Press, London, England
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	(Abstract only) ROBINSON et al., "Constitutively Active Mutants of Rhodopsin", Neuron, 1992, pgs. 719-25, Vol. 9, No. 4, Cell Press, Cambridge, Massachusetts, USA
	LIANG et al., "Optimizing the Delivery Systems of Chimeric RNA-DNA Oligonucleotides. Beyond General Oligonucleotide Transfer", Eur. J. Biochem, 2002, pgs. 5753-5758, Vol. 269, Blackwell Science, Berlin, Germany
	ROBINSON et al., "Opsins with Mutations at the Site of Chromophore Attachment Constitutively Activate Transducin but Are Not Phosphorylated by Rhodopsin Kinase", Proc. Natl. Acad. Sci USA, 1994, pgs. 5411-5415, Vol. 91, National Academy of Sciences, Washington, D.C., USA
	International Search Report for corresponding International Application No. PCT/IB02/02310, dated April 14, 2003

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.